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**FISCAL IMPACT STATEMENT**

**LS 6661**

**BILL NUMBER:** SB 403

**NOTE PREPARED:** Feb 18, 2015

**BILL AMENDED:** Feb 17, 2015

**SUBJECT:** Student Athletes and Head Injuries.

**FIRST AUTHOR:** Sen. Lanane

**FIRST SPONSOR:**

**BILL STATUS:** 2<sup>nd</sup> Reading - 1<sup>st</sup> House

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill has the following provisions:

*Concussions:* The bill provides that the law concerning concussions and head injuries applies to student athletes in grades 5 through 12 who participate in interscholastic or intramural sports. (Current law provides that the law concerning concussions and head injuries applies to high school student athletes.)

*Training:* The bill requires beginning July 1, 2016: (1) all coaches and assistant coaches of student athletes of specified sports; and (2) assistant football coaches of student athletes who are less than 20 years old; to complete certain certified coaching education courses. (Current law requires coaches and assistant coaches who coach football to individuals who are less than 20 years old to complete certain certified coaching education courses).

*Civil Immunity:* The bill provides civil immunity for the coaches and assistant coaches in compliance with the training and who provide coaching services in good faith from damages as a result of a concussion or head injury incurred by an athlete.

**Effective Date:** July 1, 2016.

**Explanation of State Expenditures:** *Training:* Under this bill, the workload of the Department of Education (DOE) in approving coaching certification courses could increase. Under current law, the DOE has to approve coaching certification courses for head football and assistant football coaches who coach individuals less than 20 years old. Under this bill, the DOE also has to approve certification courses for head coaches and assistant coaches for other sports (as specified in the bill) besides football in which student athletes in Grades 5 through 12 participate. The DOE should be able to accomplish this within its existing resources.

## **Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Summary: Concussions* - School corporations would assume the additional cost of printing the instruction sheet and form on concussions for student athletes in Grades 5 through 8 and their parents, and also processing the returned forms (under current law, school corporations have to furnish the instruction sheet and form on concussions to high school athletes). This requirement could be met within existing budgets. On the other hand, this provision could result in a reduction in insurance costs to a school corporation if the corporation purchases insurance for its student athletes.

*Training:* The bill does not state whether the school corporation or the coach or assistant coach would pay for the training courses. The bill requires that if the course is revised before the end of the two-year period, coaches and assistant coaches would have to take the revised course, thereby adding to the overall cost.

*Civil Immunity:* This provision could reduce the number of lawsuits filed against assistant football coaches and also against coaches and assistant coaches of the other sports specified in the bill. This could reduce the possible cost of litigation for school corporations.

*Additional Information: Concussions* - Under current law, each year before the beginning of practice for a sport, a high school student athlete and the student athlete's parents must be given an information sheet on concussions and a form for the parents to sign acknowledging receipt of the information. This bill extends this requirement to student athletes in Grades 5 through 8 and their parents.

Current law stipulates that a high school student athlete who is suspected of sustaining a concussion may not return to play until the athlete has been evaluated by and has received written clearance from a qualified health care provider. The student athlete would also have to wait at least 24 hours after the incident before returning to play. This bill extends this requirement to student athletes in Grades 5 through 8.

*Training:* The current statute covers only head football coaches and assistant coaches who coach individuals less than 20 years old. This provision also covers head coaches and assistant coaches in other sports (as specified in the bill) in which student athletes in Grades 5 through 12 participate. Coaches and assistant coaches have to be certified at least once every two years. However, the bill requires that if the course is revised before the end of the two-year period, coaches and assistant coaches would have to take the revised course.

Certification classes may be available on-line. For example, the National Federation of High School Associations has a certification program on-line that meets Indiana's current requirements. The cost is about \$35; other courses are available at a cost of up to \$75 per course. USA Football also has a certification program consisting of two levels. Level 1 is included in the coach membership fee, \$25. Level 2 consists of age-specific courses for ages 6 to 16; the cost is \$10 per course.

*Civil Immunity:* Under current law, except in cases of gross negligence, a football coach who completes the required coaching certification training would not be held personally liable if an athlete under the coach's supervision suffers a concussion or head injury. This bill extends this immunity to assistant football coaches and also to coaches and assistant coaches in the other sports specified in the bill.

## **Explanation of Local Revenues:**

**State Agencies Affected:** Department of Education.

**Local Agencies Affected:** School corporations.

**Information Sources:** National Federation of State High School Associations, [www.nfhslearn.com](http://www.nfhslearn.com); USA Football, [www.usafootball.com](http://www.usafootball.com)

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